

***Curriculum Vitae***

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**Name:** Richard J. Butler

**Current Occupation:** Intelligence Research Specialist, U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE).

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**Professional Background**

I am a professional Intelligence Analyst, having served in a variety of military intelligence and civilian law enforcement intelligence positions over the past 24 years. Specifically, this expertise includes:

-Sixteen years of traditional military intelligence and analysis in support of tactical and operational level U.S. military commanders involved in deterrence, contingency and combat environments.

-Six years of combined military and criminal analytical intelligence support for international prosecutors and related law enforcement professionals conducting investigations into violations of International Humanitarian Law (to include the Law of Armed Conflict) during the conflict in the former Yugoslavia.

-Two years of intelligence and criminal analytical support for U.S. domestic law enforcement activities focusing on the identification, prosecution and removal of international war crimes suspects and human rights violators residing in the United States.

Based on this experience, I have provided expert testimony on war crimes related issues pertinent to the Balkans Conflict before the International Criminal Tribunal for the former Yugoslavia. In addition, I have testified as an expert in this field before a number of U.S. Immigration Courts conducting various administrative proceedings. I have authored several articles pertaining to the military aspect of international war crimes and the law of war, as well as lectured at various domestic and international training seminars concerning international war crime prosecutions and investigative techniques.

Specific Professional Details

**February 2004-present-** Intelligence Research Specialist, Office of the Special Agent in Charge (SAC) Atlanta, Immigration and Customs Enforcement, U.S. Department of Homeland Security, Atlanta GA.

*Job Description:* As an Intelligence Research Specialist, supporting the office the Special Agent in Charge, Atlanta, GA, I provide research and intelligence analytical support to agents in the designated region. This includes researching public, government and law enforcement data sources for information, identifying potential avenues of investigation or sources of information, identifying historical patterns of suspect behavior, and assisting in

the preparing of cases for criminal prosecution, administrative judgment, or removal proceedings as required. I also provide general criminal intelligence support for regional law enforcement managers pertaining to general criminal intelligence systems and methods in order to more efficiently orient agent and investigative resources.

Under the auspices of the Headquarters-based Human Rights Violators Unit, I support national law enforcement objectives concerning the identification, prosecution and removal of war crime suspects and human rights abusers who have fled their home jurisdictions, and are presently residing in the U.S. I provide expertise on investigative and analytical processes pertaining to identification, evidence procurement, and detailed historical context of the underlying war crimes/human rights abuse offenses. This includes assisting Federal prosecutors and ICE counsel in the prosecution (where warranted) and/or removal of war crimes suspects and human rights violators to the affected jurisdiction(s). While my primary area of historical expertise relates to the war in the former Yugoslavia (1991-1999), I also provide extensive research and technical support to human right violator investigations encompassing both historical and contemporary armed conflicts in Central America, South America, and Africa.

Further, as directed, I support various U.S. government sponsored training initiatives pertaining to the Iraqi Special Tribunal, and continue to provide continuing military expert support to the International Criminal Tribunal for the former Yugoslavia.

**April 1997 to November 2003-** Chief Warrant Officer Three, United States Army Military Intelligence Branch, attached to the U.S. Department of State, with duty at the International War Crimes Tribunal for the Former Yugoslavia (ICTY), the Hague, Netherlands. Upon retirement in September 2001, I was employed as a United Nations Military/Criminal Analyst with the Office of the Prosecutor, ICTY.

*Job Description:* As a senior All Source Intelligence Technician on loan from the U.S. Army, and later as a senior UN military/criminal analyst employed by the Investigative Division of the Office of the Prosecutor, I directed research on conflict-related incidents that occurred during the various Balkans conflicts, in order to determine if any such incidents warranted further investigation as possible war crimes. Upon the initiation of a formal investigation, I assisted investigators and trial attorneys with respect to military related analytical and intelligence issues. This entailed creating and managing analytical support processes and teams to identify information to support the ongoing investigation efforts, as well as material that could be used as evidence. It also required me to maintain a working knowledge of ongoing 'Law of Armed Conflict' related legal issues as they proceeded through the various ICTY trials and appellate branches, in order to focus the analytical process in light of the evolving judicial decisions.

Specifically, on behalf of the Office of the Prosecutor, I served as the military subject matter expert on the Army of the Republika Srpska, and its operations in Eastern Bosnia from 1992-1995. This includes its participation in the July 1995 genocide and war crimes following the capture of the Bosnian Muslim town of Srebrenica. This event is often described as the largest mass-murder in Europe since the end of World War II, and resulted in the organized executions of over 5000 Bosnian-Muslim prisoners of war and civilians during a five-day period. As a component of my analysis, I authored various expert reports pertaining to the conduct of the surrounding military operations, and the positions and roles of the various war crimes suspects. These reports were tendered in a number of cases as prosecution exhibits, and I have testified as an expert witness to this effect before two ICTY Trial Chambers.

**August 1992-March 1997-** Chief Warrant Officer Two, and later Chief Warrant Officer Three, 513<sup>th</sup> Military Intelligence Brigade, in support of U.S. Army Central Command and Third Army, Fort McPherson, Atlanta, GA.

*Job Description:* As an All Source Intelligence Technician, I was responsible for supporting the Indications and Warning intelligence efforts for US Army units operating in and around Southwest Asia, the Persian Gulf region, the Horn of Africa and select other Middle Eastern countries. Further, I was responsible for detailed analysis of potential hostile ground forces in the region to include command and control, mobilization, operational movements, tactical operations and logistics. This analysis included combat and training methodologies, as well as critical node analysis in order to support war planning and target nomination requirements. This posting entailed frequent travel to the region due to contingency and exercise related missions.

**February 1989-July 1992-** Warrant Officer One, and later Chief Warrant Officer Two, U.S. Third Infantry Division, U.S. Army Europe, Wuerzburg, Germany.

*Job Description:* As an All Source Intelligence Technician assigned to the Headquarters of the Third Infantry Division, U.S. Army Europe, I was responsible for analysis of traditional battlefield operating systems of potential hostile land forces, which at the time included the former Western Group of Forces of the (then) Soviet Army and Warsaw Pact allies. During this period, I was also deployed and was attached to the Intelligence Production Section, US VII Corps (Saudi-Arabia, Iraq, Kuwait), during *Operation Desert Storm*. I was responsible for tactical intelligence on Iraqi ground forces at Division and Corps level in support of allied ground combat operations.

**August 1981-January 1989-** Various intelligence related assignments as an enlisted soldier and later Non-commissioned officer in the U.S. Army.

#### Advanced Civilian Education

1992-Baccalaureate Degree, Government and Political Science Major, Computer Studies Minor, University of Maryland, European Division.

#### Significant Professional Education

2004- Basic Intelligence Training Course, Intelligence and Customs Enforcement Academy, Federal Law Enforcement Training Center, Glynco, GA

1997- U.S. Army Military Intelligence Warrant Officer Advance Course, U.S. Army Intelligence Center and School, Fort Huachuca, AZ

1988- U.S. Army Military Intelligence Warrant Officer Technical Certification Course, U.S. Army Intelligence Center and School, Fort Huachuca, AZ

### Professional Honors and Awards

United States: Army Meritorious Service Medal (1997, 2001); Joint Meritorious Unit Citation (2000); Army Commendation Medal (1995, 1991, 1985); Joint Services Achievement Medal (1988); Army Achievement Medal (1982, 1984); National Defense Service Medal (2001, 1990); Southwest Asia Campaign Medal (1991); Kuwait Liberation Medal, Kuwait (1995); Kuwait Liberation Medal, Saudi Arabia (1992).

International: United Nations Special Service Medal (2003).

### Significant Writings and Lectures

April 2006- Techniques for Investigating Foreign War Crimes and Human Rights Abuse Cases in the U.S., and Command Responsibility; panel discussions before investigators and legal advisors at the ICE 2006 Human Rights Conference. Sponsored by the Human Rights Law Division, Office of the Principal Legal Advisor, Immigration and Customs Enforcement, U.S. Department of Homeland Security, Washington DC.

April 2005- Document Based Investigative Approaches regarding Military and Security Units and Establishing their Involvement in War Crimes; lecture before investigators and investigative judges of the Iraqi Special Tribunal. Sponsored by the U.S. Department of Defense Institute for International Legal Studies (DILLS), Newport, Rhode Island.

February 2005- Military Documents and Order of Battle in War Crimes Prosecutions; lecture before judges and prosecutors of the Iraqi Special Tribunal. Sponsored by the International Human Rights Law Institute, College of Law, DePaul University, Chicago, IL and the International Institute of Higher Studies in Criminal Science (IIHSCS), Siracusa, Italy.

March 2004- *The Customary Origins and Elements of Select Conduct of Hostilities Charges before the ICTY: A Potential Model for use by Military Commissions*, (co-authored with Ms. Melissa Epstein, 1<sup>st</sup> Lt. USMC). *Military Law Review*, Vol. 179 (Spring 2004).

November 2002- *Srebrenica Military Narrative, Operation Kravija 95 (Revised), and Army of the Republika Srpska (VRS) Brigade Command Responsibility Report*. Tendered as Prosecution Exhibits in the case of the Prosecutor v. Blagojevic, et al. (IT-02-60). Original narrative and *Army of the Republika Srpska (VRS) Corps Command Responsibility Report* (April 2000) tendered in the case of the Prosecutor v. Radislav Krstic. (IT-98-33).

Significant Writings and Lectures (cont.)

January 2002- *Modern War, Modern Law and Army Doctrine: Are we in step for the 21<sup>st</sup> Century?* Parameters, the US Army War College Quarterly, Vol. XXXII, No.1, Spring 2002.

Professional Association Memberships

Association of the United States Army (AUSA), Atlanta, GA Chapter.

Lieber Society on the Law of Armed Conflict; American Society for International Law (ASIL).